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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09.904,785      | 07-13-2001  | Harry Robert Swank   | PU010127            | 1850             |

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[REDACTED] EXAMINER

GUHARAY, KARABI

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2879

DATE MAILED: 12 18 2002

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                            |                  |
|------------------------------|----------------------------|------------------|
| <b>Office Action Summary</b> | Application No.            | Applicant(s)     |
|                              | 09/904,785                 | SWANK ET AL.     |
|                              | Examiner<br>Karabi Guharay | Art Unit<br>2879 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

***Specification***

The disclosure is objected to because of the following informalities: On page 2, line 30, typographical error in the word "whish" should be corrected to "which".

***Claim Objections***

Claim 1-6 are objected to because of the following informalities: Claims 1, 3, 4,5, and 5 recite "a plurality of tension adjusting feature", where it should be "a plurality of tension adjusting features".

Further, claim 2 recites "at least one apertures". This should be changed to "at least one aperture". Appropriate corrections are required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Swank (US 5055934).

Regarding claim 1, Swank discloses an implosion prevention tension band (12 of Fig 1-2) for a cathode ray tube (10, Fig 1) having an evacuated envelope (14) including a faceplate (16) with a substantially flat viewing area (18), extending to a peripheral rearwardly extending side wall (20) and forming an inside blend radius (at the corner 22) from the viewing faceplate (18) to the side wall (20), the side wall having corners (22) with a given radius of curvature (lines 50-60 of column 3), the tension band (12)

comprising a single layer band surrounding the faceplate panel having a width extending rearwardly from near the viewing faceplate (18) to at least half the distance between a rear edge of inside blend radius (edge 32 of Fig 2) to rear edge of the side wall (edge 30 of Fig 2) and a plurality of tension adjusting features (concavities 40, lines 51-62 of column 5) formed in a rear section of the tension band (12) aft of the inside blend radius (Fig 1, Fig 5).

Regarding claim 2, Swank discloses that the plurality of tension adjusting features comprise at least one aperture (opening 40) extending through the tension band (Fig 1 and 5).

Regarding claim 3, Swank discloses that the plurality of the tension adjusting features are positioned at locations near the corners of the tension band (Fig 3).

Regarding claim 4, Swank discloses that the plurality of adjusting features comprise semi-circular apertures extending through the tension band and forward a rear edge of the tension band toward the inside blend radius (near corner 22, see Fig 3).

Regarding claim 5, Swank discloses that the plurality of the tension adjusting features comprise a dimple formed in the tension band (Fig 3, & Fig 6).

Regarding claim 6, Swank discloses that implosion prevention band further comprises mounting lugs (42) fixed at the corners (22) wherein the plurality of tension adjusting features are located near the corner (22) on opposite side of lug (42 see Fig 3).

Regarding claim 7, Swank discloses an implosion prevention tension band (12 of Fig 1-2) for a cathode ray tube (10, Fig 1) having a faceplate (16) with a substantially

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flat viewing area (18), extending to a peripheral side wall (20) therefrom to a rear edge (30 of Fig 2), the faceplate panel having two long sides and two short sides and four corners (22) forming an inside blend radius (at the corner 22) from the viewing faceplate (18) to the side wall (20), the blend radius having a rear edge (edge 32 of Fig 2, lines 50-60 of column 3), the tension band (12) comprising a single layer band surrounding the faceplate panel having a width extending rearwardly from near the viewing faceplate to at least half the distance between a rear edge of inside blend radius (edge 32 of Fig 2) to rear edge of the side wall (edge 30 of Fig 2).

***Other Prior Art Cited***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure : Sumiyoshi et al. (US 4356515); Mutso et al. (US 5241394).

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karabi Guharay whose telephone number is (703) 305-1971. The examiner can normally be reached on Monday-Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (703) 305-4794. The fax phone number for the organization is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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Art Unit 2879

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